

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1) DELILAH MICHELLE PAUL, an individual &)
(2) DELILAH MARIE PAUL, an individual,)
)
Plaintiffs,)
)
v.)
)
)
)
(1) CSAA FIRE & CASUALTY INSURANCE COMPANY, D/B/A CSAA INSURANCE GROUP, AAA INSURER, an Alaskan Corporation, and)
(2) CSAA FIRE & CASUALTY INSURANCE COMPANY D/B/A CSAA INSURANCE GROUP, AAA INSURER, a California Corporation,)
)
Defendants.)

NOTICE OF REMOVAL

The Petitioners, identified by Plaintiffs as CSAA Fire & Casualty Insurance Company, d/b/a CSAA Insurance Group, AAA Insurer, and CSAA Fire & Casualty Insurance Company d/b/a CSAA Insurance Group, AAA Insurer, Defendants in the above-captioned case, states the following:

1. The above-entitled cause was commenced in the District Court of Tulsa County, entitled *Delilah Michelle Paul & Delilah Marie Paul v. CSAA Fire & Casualty Insurance Company, d/b/a CSAA Insurance Group, AAA Insurer, an Alaskan Corporation and CSAA Fire & Casualty Insurance Company d/b/a CSAA Insurance Group, AAA Insurer, a California Corporation*, Case No. CJ-2015-04262. Process was served on CSAA Fire and Casualty Insurance Company by certified mail on November 23, 2015. A copy of Plaintiffs' Petition setting forth the claim for relief upon which the action is based is attached hereto and marked Exhibit "1". A copy of the Summons served upon Defendants is attached hereto and marked Exhibit "2".

2. Defendant, Defendant, CSAA Fire & Casualty Insurance Company, d/b/a CSAA Insurance Group, AAA Insurer, is incorporated in the State of Indiana, with its principal place of business in a State other than Oklahoma. Plaintiff's Petition alleges that Defendant, CSAA Fire & Casualty Insurance Company, d/b/a CSAA Insurance Group, AAA Insurer, is an Alaskan Corporation. (See Petition, pp. 1-2, ¶ 3, Ex. 1). Plaintiffs' Petition also alleges that Defendant, CSAA Fire & Casualty Company, d/b/a CSAA Insurance Group, a AAA Insurer, is a California Corporation. (See Petition, pp. 1-2, ¶ 4, Ex. 1). Plaintiffs are residents and citizens of the State of Oklahoma. (*See* Petition, p. 1, ¶ 1, Ex. 1). Plaintiffs' cause of action is for an alleged breach of contract and alleged breach of the duty of good faith and fair dealing. The matter in controversy, between Plaintiffs and Defendants, according to Plaintiffs' demands, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interests and costs. (*See* Petition, p.8, Ex. 1).

3. This Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332, by reason of the fact that this is a civil action wherein the amount in controversy, according to Plaintiffs' demands, exceeds Seventy-Five Thousand and No/100ths Dollars (\$75,000.00), exclusive of interest and costs and is between citizens of different states. Accordingly, this action may be removed by Defendants pursuant to 28 U.S.C. § 1441(a).

4. This Notice of Removal is filed in this Court within thirty (30) days after November 23, 2015, the date the Defendant was served with a copy of Plaintiffs' Petition, which was the initial pleading setting forth the claim for relief upon which this is based. (*See* Petition and Summons, Ex. 1 and Ex. 2).

5. Copies of all process and pleadings, and Orders served upon Defendants have been attached hereto as follows: 1. Petition, Ex. 1; 2. Summons Ex. 2; 3. Pursuant to LcvR 81.2, a copy of the state court docket sheet is attached as Ex. 3.

WHEREFORE, Defendants, identified by Plaintiffs as CSAA Fire & Casualty Insurance Company, d/b/a CSAA Insurance Group, AAA Insurer, an Alaskan Corporation, and CSAA Fire & Casualty Insurance Company d/b/a CSAA Insurance Group, AAA Insurer, a California Corporation, pray that this action be removed.

Dated this 14th day of December, 2015.

Respectfully submitted,

**ATKINSON, HASKINS, NELLIS,
BRITTINGHAM, GLADD & FIASCO**
A PROFESSIONAL CORPORATION

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Attorneys for Defendant,

***CSAA Fire & Casualty Insurance Company,
d/b/a CSAA Insurance Group, AAA Insurer***

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of December, 2015, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Ryan A. Keith
Andrea R. Clinger
Keith & Associates Legal, PLLC
115 W. 3rd Street, Suite 800
Tulsa, OK 74103

/s/James N. Edmonds

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